

**SEPTEMBER 2003 AGENDA**

| SUBJECT | X | ACTION |
|---|----------|-----------------------|
| | X | INFORMATION |
| | | PUBLIC HEARING |
| <i>No Child Left Behind Act of 2001 Teacher Requirements ("Highly Qualified Teacher") – Adopt Proposed Title 5 Regulations.</i> | | |

Recommendation:

Approve the proposed permanent regulations regarding No Child Left Behind Act of 2001 Teacher Requirements ("Highly Qualified Teacher"). Direct that CDE staff complete the rulemaking package, in accordance with the Administrative Procedure Act, including, but not limited to, responding to public comments.

Summary of Previous State Board of Education Discussion and Action

At its June meeting, the Board adopted a proposal in concept that would implement the NCLB Teacher Requirements in California, and directed staff to seek technical assistance from the United States Department of Education (USDE) to ensure that the proposal meets all the federal requirements. After receiving advice from the USDE, proposed regulations were approved at the July Board meeting to commence the 45 day public comment period.

Summary of Key Issue(s)

The staff of the State Board of Education (SBE), the Office of the Secretary of Education (OSE), the Commission on Teacher Credentialing (CTC), and the California Department of Education (CDE) have been working for over a year to develop a definition by which California could meet the Teacher Requirements of the No Child Left Behind Act (also known as the Highly Qualified Teacher requirement). The effort has been to meld the requirement of this new federal law with California's existing teacher preparation and credentialing process, and produce a new system that is as transparent to teachers and administrators as possible while still adhering to the new standards required by NCLB.

The public hearing for these proposed regulations will begin at 1:00 p.m. on Tuesday, September 9, 2003, at 1430 N Street, Room 1101, Sacramento. The 45-day written comment period ends at 5:00 p.m. on Monday, September 8, 2003. Comments received during the public comment period and public hearing will be summarized, including responses, and provided to the Board in a Last Minute Memorandum.

As of August 20, 2003, 3:00 p.m. the department has received a total of 9 public comments (six e-mails and three letters) regarding the proposed Title 5 No Child Left Behind Teacher Requirements. The comments were received from K-12 assistant superintendents, a program director, a principal/superintendent, college and university program administrators, credential students, a parent of a credential student, and K-12 teachers. The following is a summary of issues and concerns forwarded:

Summary of Key Issue(s)

- Six people expressed concern regarding the proposed testing requirements for elementary level teachers.
- One person inquired about the middle school HOUSSE requirements and requested a review of a locally developed form.
- One person expressed concern regarding implementing the proposed HOUSSE regulations under Section 6104 and its impact on time constraints of teacher/principals in Necessary Small Schools and requested alternatives be considered.
- One person recommended a change in Title 5 regulation wording pertaining to persons knowledgeable to evaluate teachers under the HOUSSE and wording pertaining to one time demonstration of compliance.
- One person opposed the regulations for new elementary level teachers stating that elementary teachers have fewer options for demonstrating subject matter competency which requires passing a state test as opposed to secondary level teachers who can demonstrate competency through an undergraduate major or coursework equivalent to an undergraduate major.
- One person requested that credentialing requirements based on previously validated exams approved by the Commission on Teacher Credentialing (CTC) be considered valid now, i.e., tests including the National Teachers Exam (NTE) and the Multiple Subject Assessment for Teachers (MSAT), and liberal studies majors.

A summary of substantive comments (by section number) follows:

Article 2. Elementary Level Teachers

6101. Elementary Teachers.

The regulations should not require current elementary credential students who completed coursework approved for satisfying requirements for a multiple subject credential to be required pass a state test (CSET) as an additional requirement for receiving a multiple subjects credential.

The regulations should not require credentialed elementary teachers who have already satisfied subject matter requirements through a liberal studies major to be required to pass a state test (CSET) to demonstrate subject matter competency.

The proposed regulations place little value on approved coursework in subject matter programs by allowing an option of only passing an examination to demonstrate subject matter competency. Elementary teachers will become increasingly focused on test prep which undermines the other valued aspects of approved subject matter programs such as early field experiences, application of technology, inclusion of critical thinking, and integration of diversity issues.

Response: The federal NCLB Act requires that elementary teachers pass a rigorous State exam to demonstrate subject matter competence. The proposed regulations only identify how the particular test in California will be chosen.

The proposed regulations unfairly provide fewer options for prospective elementary level teachers than secondary level teachers by requiring elementary teachers to pass a state test to demonstrate subject matter competency while prospective secondary level teachers are provided more options including passing a test or completing an undergraduate major or coursework equivalent to an undergraduate major.

Summary of Key Issue(s)

Response: The federal NCLB Act limits elementary teachers demonstration of subject matter competence to passing a rigorous State exam. The proposed regulations only identify how the particular test in California will be chosen.

The proposed regulations should designate previously approved Commission on Teacher Credentialing subject matter exams as meeting the subject matter competency requirements for NCLB.

Response: The proposed regulations do not name the required test or limit it to one test. The proposed regulations clarify that CTC will certify the test(s) in order to conform the NCLB Teacher requirements with California's credentialing requirements.

6102. Elementary Teachers New to the Profession.

The regulations should not require elementary credential students who had selected a CTC approved option of completing coursework to obtain a multiple subject credential and have completed the coursework to now be required to pass a state test as an additional requirement for receiving a credential.

Response: The federal NCLB Act limits elementary teachers demonstration of subject matter competence to passing a rigorous State exam. The proposed regulations only identify how the particular test in California will be chosen.

6103. Elementary Teachers Not New to the Profession.

The regulations should include the National Teachers Exam as an approved test for satisfying the No Child Left Behind teacher requirements.

Response: The proposed regulations do not name the required test or limit it to one test. The proposed regulations clarify that CTC will certify the test(s) in order to conform the NCLB Teacher requirements with California's credentialing requirements.

6104. High Objective Uniform State Standard Evaluation.

The proposed regulations for item (b), page 3, line 8 is ambiguous. It should state that the one-time demonstration of subject matter competence shall be evaluated by a person or persons knowledgeable in the State Academic Content Standards who is trained and approved to complete the teacher evaluation process, as defined by Education Code Sections 44660-44661. (Evaluation and Assessment of Performance of Certificated Employees). In most districts, teacher evaluation is a part of collective bargaining, per this Education Code.

The regulations should include years of experience and coursework taken after a credential is received in the evaluation of teacher qualifications.

The proposed regulations should include an alternative methodology for providing evidence of subject matter competence for Necessary Small School Districts.

General Comments.

None

Fiscal Analysis (as appropriate)

The regulations have no fiscal impact. Please see the Notice of Proposed Rulemaking for additional details.

Attachment(s)

[The Proposed Regulation](#)

[The Initial Statement of Reasons](#)

[The Notice of Proposed Rulemaking](#)

Public Comments received during the public comment period and public hearing will be summarized, with responses, in a Last Minute Memorandum.

1 Title 5. EDUCATION

2 Division 1. State Department of Education

3 Chapter 6. Certificated Personnel

4
5 Add Subchapter 7, Article 1, Section 6100 to read:

6 **Subchapter 7. No Child Left Behind Teacher Requirements**

7 **Article 1. General**

8 **§ 6100. Definitions.**

9 For purposes of No Child Left Behind Teacher Requirements, the following definitions shall
10 apply:

11 (a) Advanced Credentialing: A teacher who has achieved National Board Certification
12 is considered to have Advanced Credentialing.

13 (b) Credential: A Preliminary, Professional Clear or Life Credential, or any teaching credential
14 issued under prior statutes, that authorizes a person to teach in California K-12 schools.

15 (c) Elementary, Middle and High School: The local educational agency shall determine, based on
16 curriculum taught, by school site, or by each grade at the school site, if appropriate, whether a teacher is
17 hired to teach elementary, middle or high school.

18 (d) First Day of School: The first day of school is the first day of school that students
19 report to the school per the district school calendar.

20 (e) Hired: A teacher is hired when they accept employment at the school district. The date a
21 teacher is hired is not affected by a change of assignments or schools within the district. The date a
22 teacher is hired in a district does not affect a teacher's "new" or "not new" to the profession status.

23 (f) Teacher New to the Profession: A teacher is new to the profession if they have graduated from
24 an accredited institution of higher education and received a credential, or began an approved intern
25 program, on or after July 1, 2002.

26 (g) Teacher Not New to the Profession: A teacher is not new to the profession if they graduated
27 from an accredited institution of higher education and received a credential, or were enrolled in, or had
28 completed, an approved intern program before July 1, 2002.

29 NOTE: Authority cited: Section 12001, Education Code. Reference: 20 USC 7801(23), 20 USC 6319(a)
30 and Improving Teacher Quality State Grants Title II, Part A Non-Regulatory Draft Guidance December
31 19, 2002.

32
33 Add Article 2, Sections 6101 through 6104 to read:

34 **Article 2. Elementary Level Teachers**

1 **§ 6101. Elementary Teachers.**

2 A teacher who meets NCLB requirements at the elementary level is one who:

3 (1) Holds at least a bachelor's degree, and

4 (2) Is currently enrolled in an approved intern program for less than three years or has a
5 credential, and

6 (3) Meets the applicable requirements in Section 6102 or 6103.

7 NOTE: Authority cited: Section 12001, Education Code. Reference: 20 USC 7801(23), 20 USC 6319(a)
8 and Improving Teacher Quality State Grants Title II, Part A Non-Regulatory Draft Guidance December
9 19, 2002.

10 **§ 6102. Elementary Teachers New to the Profession.**

11 A teacher who meets the NCLB requirements and is new to the profession at the
12 elementary level, in addition to having at least a bachelor's degree and either being currently enrolled in
13 an approved intern program for less than three years or holding a credential, must have passed a validated
14 statewide subject matter examination certified by the Commission on Teacher Credentialing.

15 NOTE: Authority cited: Section 12001, Education Code. Reference: 20 USC 7801(23), 20 USC 6319(a)
16 and Improving Teacher Quality State Grants Title II, Part A Non-Regulatory Draft Guidance December
17 19, 2002.

18 **§ 6103. Elementary Teachers Not New to the Profession.**

19 A teacher who meets NCLB requirements and is not new to the profession at the elementary
20 level, in addition to having at least a bachelor's degree and either being currently enrolled in an approved
21 intern program for less than three years or holding a credential, must have completed one of the
22 following:

23 (1) A validated statewide subject matter examination certified by the Commission on Teacher
24 Credentialing.

25 (2) In lieu of the high objective uniform state standard evaluation in subsection 3, National Board
26 Certification.

27 (3) A high objective uniform state standard evaluation conducted pursuant to Section 6104 and in
28 conjunction with the teacher's evaluation and assessment pursuant to Education Code section 44662, to
29 determine the teacher's subject matter competence in each of the academic subjects taught by the teacher.

30 NOTE: Authority cited: Section 12001, Education Code. Reference: 20 USC 7801(23), 20 USC 6319(a)
31 and Improving Teacher Quality State Grants Title II, Part A Non-Regulatory Draft Guidance December
32 19, 2002.

33 **§ 6104. High Objective Uniform State Standard Evaluation.**

34 (a) The high objective uniform state standard evaluation shall be conducted at the time and by the
35 means utilized to satisfy Education Code section 44662, except that (1) subject matter shall be defined as
36 the State Academic Content Standards for the grades and subjects taught, and (2) competency shall be

1 demonstrated by satisfactorily meeting standards 3 and 5.1 of the California Standards for the Teaching
2 Profession. The demonstration of subject matter competence shall include some combination of the
3 following:

4 (1) Classroom observation,

5 (2) Demonstration of knowledge of the appropriate grade-level and subject State Academic
6 Content Standards, and

7 (3) Portfolio review of lesson plans and student work for one academic year.

8 (b) This one time demonstration of subject matter competence shall be evaluated by a person or
9 persons knowledgeable in the State Academic Content Standards for the grade and subject for which the
10 teacher is demonstrating competency.

11 (c) If the teacher does not satisfactorily meet standards 3 and 5.1 of the California Standards for
12 the Teaching Profession as part of the NCLB evaluation, then subject matter competency shall be
13 demonstrated through completion of the Peer Assistance and Review Program for Teachers or other
14 individualized professional development plan, pursuant to Education Code section 44664, aimed at
15 assisting the teacher to meet standards 3 and 5.1 of the California Standards for the Teaching Profession.

16 NOTE: Authority cited: Section 12001, Education Code. Reference: 20 USC 7801(23), 20 USC 6319(a)
17 and Improving Teacher Quality State Grants Title II, Part A Non-Regulatory Draft Guidance December
18 19, 2002.

19
20 *Add Article 3, Section 6110 to read:*

21 **Article 3. Middle and High School Level Teachers**

22 **§ 6110. Middle and High School Teachers.**

23 A teacher who meets NCLB requirements at the middle and secondary levels is
24 one who:

25 (1) Holds at least a bachelor's degree, and

26 (2) Is currently enrolled in an approved intern program for less than three years or has a full
27 credential, and

28 (3) Meets at least one of the applicable requirements in Section 6111 or 6112.

29 NOTE: Authority cited: Section 12001, Education Code. Reference: 20 USC 7801(23), 20 USC 6319(a)
30 and Improving Teacher Quality State Grants Title II, Part A Non-Regulatory Draft Guidance December
31 19, 2002.

32 **§ 6111. Middle and High School Teachers New to the Profession.**

33 A teacher who meets NCLB requirements and is new to the profession at the
34 middle and high school levels, in addition to having at least a bachelor's degree and either being currently
35 enrolled in an approved intern program for less than three years or holding a credential in the subject
36 taught, must have passed or completed one of the following for every core subject currently assigned:

1 (1) A validated statewide subject matter examination certified by the Commission on Teacher
2 Credentialing,

3 (2) University subject matter program approved by the Commission on Teacher Credentialing,

4 (3) Undergraduate major in the subject taught,

5 (4) Graduate degree in the subject taught, or

6 (5) Coursework equivalent to undergrad major.

7 NOTE: Authority cited: Section 12001, Education Code. Reference: 20 USC 7801(23), 20 USC 6319(a)
8 and Improving Teacher Quality State Grants Title II, Part A Non-Regulatory Draft Guidance December
9 19, 2002.

10 **§ 6112. Middle and High School Teachers Not New to the Profession.**

11 A teacher who meets NCLB requirements and is not new to the profession at the middle and high
12 school levels, in addition to having at least a bachelor's degree and either being currently enrolled in an
13 approved intern program for less than three years or holding a credential, must have passed or completed
14 one of the following for every core subject currently assigned:

15 (1) A validated statewide subject matter examination certified by the Commission on Teacher
16 Credentialing,

17 (2) University subject matter program approved by the Commission on Teacher Credentialing,

18 (3) Undergraduate major in the subject taught,

19 (4) Graduate degree in the subject taught,

20 (5) Coursework equivalent to undergrad major,

21 (6) Advanced certification or credentialing (National Board Certification), or

22 (7) The high objective uniform state standard evaluation pursuant to Article 2, Section 6104.

23 NOTE: Authority cited: Section 12001, Education Code. Reference: 20 USC 7801(23), 20 USC 6319(a)
24 and Improving Teacher Quality State Grants Title II, Part A Non-Regulatory Draft Guidance December
25 19, 2002.

26
27 *Add Article 4, Section 6115 to read:*

28 **Article 4. Teachers Not Meeting NCLB Teacher Requirements**

29 **§ 6115. Teachers Not Meeting NCLB Teacher Requirements.**

30 A teacher does not meet the NCLB teacher requirements for the core academic subject taught if:

31 (1) Teaching with an Emergency Permits, or

32 (2) Teaching with a supplemental authorization (except where the supplemental authorization is
33 based on a major in the subject taught) or a local authorizations for the subject taught, or

34 (3) Teaching with state or local waivers for the grade or subject taught, or

35 (4) Teaching as a pre-intern.

1 NOTE: Authority cited: Section 12001, Education Code. Reference: 20 USC 7801(23), 20 USC 6319(a)
2 and Improving Teacher Quality State Grants Title II, Part A Non-Regulatory Draft Guidance December
3 19, 2002.

4
5 *Add Article 5, Section 6120 to read:*

6 **Article 5. One Time Compliance**

7 **§ 6120. One Time Compliance.**

8 Once a school district has determined that a teacher meets the NCLB Teacher Requirements for
9 the grade level and/or subject taught, that teacher will not be required to demonstrate that they meet the
10 requirements again for the same grade level and/or subject taught, even if they are later hired by another
11 school district in California.

12 NOTE: Authority cited: Section 12001, Education Code. Reference: 20 USC 7801(23), 20 USC 6319(a)
13 and Improving Teacher Quality State Grants Title II, Part A Non-Regulatory Draft Guidance December
14 19, 2002.

15
16 *Add Article 6, Section 6125 to read:*

17 **Article 6. Teachers from Out-of-State**

18 **§ 6125. Teachers from Out-of-State.**

19 Teachers who have been found to meet subject matter competency requirements of NCLB in
20 another State shall also be considered to have met those requirements for that particular subject and/or
21 grade span in California. California's credentialing reciprocity with other States is not affected by the
22 requirements of NCLB.

23 NOTE: Authority cited: Section 12001, Education Code. Reference: 20 USC 7801(23), 20 USC 6319(a)
24 and Improving Teacher Quality State Grants Title II, Part A Non-Regulatory Draft Guidance December
25 19, 2002.

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INITIAL STATEMENT OF REASONS

No Child Left Behind Teacher Requirements

SECTIONS 6100, 6101, 6102, 6103, 6104, 6110, 6111, 6112, 6115, 6120, and 6125.

SPECIFIC PURPOSE OF THE REGULATIONS.

The proposed regulations identify the “rigorous state test” that federal law requires each new to the profession elementary teacher pass, and outlines the “high objective uniform state standard evaluation” that can be used to qualify not new to the profession teachers as “highly qualified.” The proposed regulations also define several key phrases to assist school district in complying with the federal law.

NECESSITY/RATIONALE

Federal law under No Child Left Behind Act (NCLB) requires that all teachers of core academic subjects meet the federal definition of “highly qualified teacher” no later than the end of the 2005-2006 school year. Schools that receive Title I funds are currently required to hire only teachers that meet the federal definition of “highly qualified teacher.” Core academic subjects include English, reading, language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography (NCLB Section 9101).

While federal law defines the requirements for “highly qualified teacher,” some details regarding how the definition is applied in each State must also be determined. Existing State law and these proposed regulations are intended to provide the detail necessary to meet the NCLB Teacher Requirements in California.

The proposed regulations are necessary to implement the requirements of the federal No Child Left Behind Act. Specifically, the proposed regulations are necessary to identify the “rigorous state test” that federal law requires each new to the profession elementary teacher pass, and outline the “high objective uniform state standard evaluation” that federal law provides to qualify not new to the profession teachers as “highly qualified.” The proposed regulations also define several key phrases to assist school districts in complying with the federal law. These details are necessary to assist school districts meet the federal law and allow California to receive and retain federal funding under the federal Title I, Part A.

The proposed regulations are:

Article 1. General

Article 1 provides California specific definitions of key words and phrases in the federal law.

Article 2. Elementary Level Teachers

Article 2 provides California specific details for meeting the federal requirements for “new” and “not new” to the profession elementary teachers.

Article 3. Middle and High School Level Teachers

Article 3 provides California specific details for meeting the federal requirements for "new" and "not new" to the profession middle and high school teachers.

Article 4. Teachers Not Meeting NCLB Teacher Requirements

Article 4 identifies the California permits and authorizations that would not meet the federal requirements.

Article 5. One Time Compliance Article

Article 5 clarifies that compliance with the federal requirements must only be accomplished once per subject or grade span taught.

Article 6. Teachers from Out-of-State

Article 6 clarifies that California will accept another State's determination that a teacher has met the NCLB Teacher Requirements for a particular subject or grade span taught.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS.

The State Board of Education (State Board) did not rely upon any other technical, theoretical, or empirical studies, reports or documents in proposing the adoption of this regulation.

REASONABLE ALTERNATIVES TO THE REGULATION AND THE AGENCY'S REASONS FOR REJECTING THOSE ALTERNATIVES.

No other alternatives were presented to or considered by the State Board.

REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS.

The State Board has not identified any alternatives that would lessen any adverse impact on small business.

EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS.

The State Board has made an assessment and determined that the adoption of the proposed regulations would not have a significant adverse economic impact on any business in the State of California.

7/15/03

CALIFORNIA STATE BOARD OF EDUCATION

1430 N Street; P.O. Box 944272
Sacramento, CA 95814-5901

**TITLE 5. EDUCATION****CALIFORNIA STATE BOARD OF EDUCATION****NOTICE OF PROPOSED RULEMAKING****No Child Left Behind Teacher Requirements**

[Notice published July 25, 2003]

The State Board of Education (State Board) proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

PUBLIC HEARING

The State Board will hold a public hearing beginning at **1:00 p.m. on Tuesday, September 9, 2003**, at 1430 N Street, Room 1101, Sacramento. The room is wheelchair accessible. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the Informative Digest. The State Board requests that any person desiring to present statements or arguments orally notify the Regulations Adoption Coordinator of such intent. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. No oral statements will be accepted subsequent to this public hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Regulations Adoption Coordinator. The written comment period ends at **5:00 p.m. on Monday, September 8, 2003**. The Board will consider only written comments received by the Regulations Adoption Coordinator or at the Board Office by that time (in addition to those comments received at the public hearing). Written comments for the State Board's consideration should be directed to:

Debra Strain, Regulations Adoption Coordinator
California Department of Education
LEGAL DIVISION
1430 N Street, Room 5319
Sacramento, California 95814
Telephone : (916) 319-0641
E-mail: dstrain@cde.ca.gov

AUTHORITY AND REFERENCE

Authority: Section 12001, Education Code.

Reference: 20 USC 7801(23), 20 USC 6319(a) and Improving Teacher Quality State Grants Title II, Part A Non-Regulatory Draft Guidance December 19, 2002.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Federal law under No Child Left Behind Act (NCLB) requires that all teachers of core academic subjects meet the federal definition of “highly qualified teacher” no later than the end of the 2005-2006 school year. Schools that receive Title I funds are currently required to hire only teachers that meet the federal definition of “highly qualified teacher.” Core academic subjects include English, reading, language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography (NCLB Section 9101).

While federal law defines the requirements for “highly qualified teacher,” some details regarding how the definition is applied in each State must also be determined. Existing State law and these proposed regulations are intended to provide the detail necessary to meet the NCLB Teacher Requirements in California.

Specifically, these proposed regulations identify the “rigorous state test” that federal law requires each new to the profession elementary teacher pass, and outlines the “high objective uniform state standard evaluation” that can be used to qualify not new to the profession teachers as “highly qualified.” The proposed regulations also define several key phrases to assist school district in complying with the federal law.

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: None

Cost or savings to any state agency: None

Costs to any local agency or school district which must be reimbursed in accordance with Government Code section 17561: None

Other non-discretionary cost or savings imposed on local educational agencies: None

Cost or savings in federal funding to the state: None

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None.

Cost impacts on a representative private person or businesses: The State Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Adoption of these regulations will not:

- (1) create or eliminate jobs within California;
- (2) create new businesses or eliminate existing businesses within California; or
- (3) affect the expansion of businesses currently doing business within California.

Significant effect on housing costs: None.

Affect on small businesses: The regulations and proposed amendments have no affect on small businesses because they do not relate to small business practices or to interactions between school districts and small businesses.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the State Board must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the State Board, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The State Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

CONTACT PERSONS

Inquiries concerning the substance of the proposed regulations should be directed to:

Tom Lugo, Administrator
Professional Development Unit
California Department of Education
1430 N Street
Sacramento, CA 95814
Telephone: (916) 323-6390

Requests for a copy of the proposed text of the regulations, the Initial Statement of Reasons, the modified text of the regulations, if any, or other technical information upon which the rulemaking is based or questions on the proposed administrative action may be directed to the Regulations Adoption Coordinator, or to the backup contact person, Najia Rosales, Analyst, at (916) 319-0584.

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Regulations Adoption Coordinator will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at her office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons. A copy may be obtained by contacting the Regulations Adoption Coordinator at the above address.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public hearing and considering all timely and relevant comments received, the State Board may adopt the proposed regulations substantially as described in this notice. If the State Board makes modifications which are sufficiently related to the originally proposed text, the modified text (with changes clearly indicated) will be available to the public for at least 15 days before the State Board adopts the regulations as revised. Requests for copies of any modified regulations should be sent to the attention of the Regulations Adoption Coordinator at the address indicated above. The State Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, a copy of the Final Statement of Reasons may be obtained by contacting the Regulations Adoption Coordinator at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons, the text of the regulations in underline and strikeout, and the Final Statement of Reasons, can be accessed through the California Department of Education's website at <http://www.cde.ca.gov/regulations>.